

EXHIBIT C

Newaygo County Park Ordinance, Rules, and Regulations

PREAMBLE

An Ordinance to regulate and control all lands, waters, and property administered by or under the jurisdiction of the Newaygo County Park and Recreation Commission

DEFINITIONS

1. "Commission" shall mean the Newaygo County Parks and Recreation Commission.
2. "Commission Property" shall mean all lands, waters, and property administered by or under the jurisdiction of the Newaygo County Parks Commission.
3. "Commission Staff" shall mean any individual directly employed to work by the Newaygo County Parks and Recreation Department. Commission Staff includes the Parks and Recreation Director, Parks Administrative Staff, and Park Operations and Maintenance Staff.
4. "Person" or "Persons" shall mean individuals, male or female, singular or plural, firms, corporations, companies, associations, entities, organizations, or any group of individuals.
5. "Camping" means the overnight lodging or sleeping of person or persons on the ground, in a cabin, tent, pop-up camper, motorhome, trailer-coach, vehicle camper, motor vehicle, or in any other conveyance or structure erected, parked or placed on the premises within any park or recreation area administered by Commission.
6. "Campsite" shall generally consist of one (1) picnic table, one (1) fire pit, one (1) electric panel (where provided), one (1) water spigot (where provided) and one (1) septic/sewer connection (where provided). The Commission or its Staff will determine the size and boundaries.
7. "Quiet Hours" shall mean a designated time (11 PM-7 AM) during which noise, conversation, or activity shall be confined to the boundaries of one's campsite cabin or facility boundaries. Vehicle traffic shall be limited to and from the restroom and in and out of the campground only.
8. "Day-Use" shall mean the use of Commission property between 7 AM and Sunset by a person or persons not registered to camp on Commission property.
9. "Motor-Driven Vehicle" means a vehicle, motor vehicle, or vehicle operated or designed for operation upon a public highway by power other than muscular strength, including motorcycles.
10. "Motorcycle" means a vehicle having a saddle or seat for the use of the rider, designed for operation on not more than three wheels in contact with the ground, equipped with a motor that exceeds 50 cubic centimeters piston displacement.
11. "Off-Road Vehicle (ORV)" shall mean any motor vehicle that can be operated cross-country (without the benefit of a road or trail) over land, snow, and other natural terrains. ORV includes multi-track or multi-wheel vehicles; all-terrain vehicles (ATVs); motorcycles or related multi-wheel vehicles; amphibious machines (water-to-land and back); hovercrafts; and other vehicles that use mechanical power, including 2- or 4-wheel-drive vehicles that are highway registered but operated off highways or roads.
12. "Rules" shall mean the rules adopted by the Newaygo County Parks and Recreation Commission applicable to all property administered by or under the jurisdiction of the said Commission and all amendments thereto. These rules are enforced in compliance with the State of Michigan Public Act 261 of 1965 et seq.
13. "Alcoholic Beverages" means "alcohol," as defined in the Michigan Liquor Control Code of 1998, PA 58 pf 1998 et seq as amended.

IMPORTANT- UPON VIOLATION OF ANY RULES HEREIN, IN ADDITION TO ANY OTHER REMEDY PROVIDED FOR, COMMISSION STAFF MAY REVOKE THE PERMIT(S) AND EXPEL THE OFFENDING PERSON(S), OR PERSON(S)

SECTION 32: EMERGENCY POWERS

Nothing in these rules shall:

- a) Prohibit or hinder any Commission Employee, agent, or any peace officer from performing their official duties.
- b) Prohibit the Commission, or its Staff, from establishing emergency rules required to protect the health, welfare, and safety of park visitors; to protect park property and maintain order.

VIOLATION OF RULES

- a) In addition to any administrative penalty provided for herein, any person violating any provision of the above rules shall be guilty of a misdemeanor and upon conviction, therefore, shall be fined not more than \$100. Any person violating any portion of this ordinance may also be imprisoned in the County jail for a period not exceeding 90 days, at the discretion of the court.
- b) Violation of the above rules gives the Commission the right to remove the responsible individual or group without any refund. Violators may also be subject to civil penalties and trespass.

AVAILABILITY

A copy of this ordinance and any other rules or regulations shall be available at the main office of the Parks Commission and the Newaygo County Clerk's Office. Actual knowledge of any of the provisions of this Ordinance or other Park Rule is not, however, a requirement to its effectiveness or enforcement of this ordinance or the rules.

SEVERABILITY

The provisions of this ordinance and separable and the invalidity of any phrase, clause, or part of this ordinance shall not affect the validity or effectiveness of the remainder of the ordinance.

EFFECTIVE DATE & REPEALER

This ordinance shall become effective on the date that both the ordinance is published in a newspaper of general circulation in the County as provided by law and the rules are posted near each gate, or principal entrance to the area or facility to which the rules apply is located, but not earlier than 9 days following adoption. At the time this ordinance takes effect, the existing Newaygo County Parks Rules and Regulations (Ordinance No. 95-ORD-001) as amended are hereby repealed and replaced.